

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS**

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE and
MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; UNITED
STATES IMMIGRATION AND CUSTOMS
ENFORCEMENT; CHAD F. WOLF, in his
official capacity as Acting Secretary of the
United States Department of Homeland
Security; and MATTHEW ALBENCE, in his
official capacity as Acting Director United
States Immigration and Customs
Enforcement,

Defendants.

Civil Action No. 1:20-cv-11283-ADB

DECLARATION OF STUDENT #8

I, Student #8, hereby state under the penalty of perjury that the following statements are true and accurate to the best of my knowledge:

1. I am a continuing graduate student at MIT. I am not revealing my name or certain facts that may reveal my identity due to fears that, based on my participation in this litigation or information disclosed in this declaration, I could face retaliation from immigration authorities or harm in my home country or elsewhere.

2. I am from South Africa and am a South African citizen. I had been studying in the United States on an F-1 visa. In March 2020, after the onset of the COVID-19 pandemic, I left MIT on-campus housing and returned to South Africa. I left the United States because I felt that having fewer people on campus was the best way to help keep myself and my community safe.

3. I have been actively seeking a way to return to MIT but have been unable to do so due to the closure of U.S. consular services, which has prevented me from renewing my F-1 entry visa. And now, even if I am able to obtain a consular interview and renew my visa, which I am hoping to do on an emergency basis, I am likely to be denied entry into the United States as a result of the COVID-19 and Fall 2020 directive issued by United States Immigration and Customs Enforcement on July 6, 2020.

4. If I am required to remain in South Africa, I will be harmed in several ways:

a. First, working remotely on my research from South Africa would be very difficult. South Africa experiences frequent “load-shedding” electricity shutdowns, cutting off access to the internet during these times. Even when electricity is available, it can be impossible to obtain a strong enough internet connection to meaningfully connect with my professors and peers.

b. Second, the six-hour time zone difference would make it difficult for me to meaningfully participate in certain seminars, research group activities, and MIT community events. Being separated from my community at MIT has been an isolating and alienating experience that has greatly affected my productivity and state of mind. I have often stayed up past midnight into the early hours of the morning to participate in events held in the evening Eastern Time, and have been unable to work the next day due to lack of sleep.

c. Third, if not allowed entry into the United States, I would not be able to fulfill my duties as a Resident Assistant in an MIT Graduate Residence, thereby harming the experience of other students as well. My responsibility is to build community and a safe, respectful, and orderly living environment for all. I need to be living on-campus in the Fall to carry out these responsibilities and help fellow Resident Assistants and residents navigate a time that is made more difficult by the COVID-19 pandemic.

5. In addition to the aforementioned hardships, having to be in South Africa, rather than on-campus at MIT, is endangering my physical and psychological wellbeing. Just this past week, seven armed men invaded my home and robbed my family and I at gunpoint. We had extensive security measures in place in and around our home because home invasions and armed robberies like this are unfortunately not uncommon in South Africa. But those measures failed to prevent the robbery. My family and I could have been killed. Since the robbery, I have experienced severe panic and anxiety. I am desperate to return to the United States so that I can continue my studies without fear of such an armed assault on my home.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this day, July 13, 2020

/s/ Student #8
Student #8